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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/653,613	08/31/2000	Alan Lasneski	004589.P003	4147

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EXAMINER

SHAPIRO, LEONID

ART UNIT PAPER NUMBER

2673

DATE MAILED: 10/21/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/653,613

Applicant(s)

LASNESKI, ALAN

Examiner

Leonid Shapiro

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 17-34 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 17-34 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: ____

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 17-34 rejected under 35 U.S.C. 103(a) as being unpatentable over Kuzma (US Patent No. 5,574,700) in view of Manning (US Patent 5,519,790).

As to claim 17, Kuzma teaches a method comprising: converting a frame of analog image data to a frame of digital image data that includes pixel data (See Fig 1-2, items 101-105, 220, 240, in description See Col.5, Lines 13-14); capturing the frame of digital image data frames (See Fig. 2, items 210,230,240, in description See Col. 5, Lines 45-65); converting subsequent frames of analog image data to frames of digital image data that include pixel data frames (See Fig. 2, items 210,230,240, in description See Col. 5, Lines 45-65); sending the captured frames to a display object (See Fig 1-2, items 101-105, 220, 240, in description See Col.5, Lines 58-65).

Kuzma does not teach comparing the pixel data of the converted subsequent frames to the pixel data of the captured frame to identify a converted subsequent frame whose pixel data differs from the pixel data of the captured frame by a threshold amount, capturing the identified frame.

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Manning teaches that after a key frame is established the next frame is compared to the key frame to determine whether the next frame is another key frame, capture the new key frame (See Fig. 2a-2c, items 42,50, in description See col.2, Lines 27-32). It would have been obvious to one ordinary skill in the art at the time of invention to use Manning approach in the Kuzma method to reduce video noise.

As to claim 18, Manning teaches the method of reducing video noise, which includes phase noise, with the threshold selection (See Fig. 2, in description See Col.3, Lines 29-33, and Col. 2, Lines 28-33).

As to claim 19, Manning uses pixel values as numerical value for each color of each pixel and the difference between any of the plurality of pixel values is the difference between the numerical values for each color of each of the corresponding pixels of the converted subsequent frames to the pixel data of the captured frame (See Fig. 3-5, in description See Col. 2, Lines 26-33).

As to claim 20, Manning shows that the difference between any of the plurality of pixel values of the compared frames exceeds a pre-selected threshold value when the absolute value of the difference is greater than the pre-selected threshold value (See Fig.2b, item 42, in description See Col.2, Lines 25-32).

As to claim 21, Manning shows that the color for each pixel includes the color red, green, and blue (See Fig. 1, item 10, 12, 14, 16, in description See Col. 3, Lines 12-14).

As to claim 22, regarding discarding uncaptured frames, Kuzma teaches the subsequent frames with a difference value less than the predetermined value, the frame is recognized as

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being used in still image (See Col. 5, Lines 58-60) and does need to be put in the frame buffer, therefore is discarded.

As to claim 23, Kuzma teaches an article of manufacture comprising a machine accessible medium having content that when accessed provides instructions to cause an electronic system to: convert a frame of analog image data to a frame of digital image data that includes pixel data (See Fig 1-2, items 101-105, 220, 240, in description See Col.5, Lines 13-14); capture the frame of digital image data frames (See Fig. 2, items 210,230,240, in description See Col. 5, Lines 45-65); convert subsequent frames of analog image data to frames of digital image data that include pixel data frames (See Fig. 2, items 210,230,240, in description See Col. 5, Lines 45-65); send the captured frames to a display object (See Fig 1-2, items 101-105, 220, 240, in description See Col.5, Lines 58-65).

Kuzma does not teach compare the pixel data of the converted subsequent frames to the pixel data of the captured frame to identify a converted subsequent frame whose pixel data differs from the pixel data of the captured frame by a threshold amount, capture the identified frame.

Manning teaches that after a key frame is established the next frame is compared to the key frame to determine whether the next frame is another key frame, capture the new key frame (See Fig. 2a-2c, items 42,50, in description See col.2, Lines 27-32). It would have been obvious to one ordinary skill in the art at the time of invention to use Manning approach in the Kuzma article of manufacture to reduce video noise.

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As to claim 24, Manning teaches the article of manufacture of reducing video noise, which includes phase noise, with the threshold selection (See Fig. 2, in description See Col.3, Lines 29-33, and Col. 2, Lines 28-33).

As to claim 25, Manning uses pixel values as numerical value for each color of each pixel and the difference between any of the plurality of pixel values is the difference between the numerical values for each color of each of the corresponding pixels of the converted subsequent frames to the pixel data of the captured frame (See Fig. 3-5, in description See Col. 2, Lines 26-33).

As to claim 26, Manning shows that the difference between any of the plurality of pixel values of the compared frames exceeds a pre-selected threshold value when the absolute value of the difference is greater than the pre-selected threshold value (See Fig.2b, item 42, in description See Col.2, Lines 25-32).

As to claim 27, Manning shows that the color for each pixel includes the color red, green, and blue (See Fig. 1, item 10, 12, 14, 16, in description See Col. 3. Lines 12-14).

As to claim 28, regarding discarding uncaptured frames, Kuzma teaches the subsequent frames with a difference value less than the predetermined value, the frame is recognized as being used in still image (See Col. 5, Lines 58-60) and does need to be put in the frame buffer, therefore is discarded.

As to claim 29, Kuzma teaches an apparatus comprising: a frame conversion unit to convert frames of analog image data to a frame of digital image data that includes pixel data (See Fig 1-2, items 101-105, 220, 240, in description See Col.5, Lines 13-14); a buffer coupled with frame conversion unit to store a frame of digital image data and subsequent converted frames

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(See Fig. 2, items 210,230,240, in description See Col. 5, Lines 45-65); a transmission unit to send the frame of digital image data and identified frame to a display object (See Fig 1-2, items 101-105, 220, 240, in description See Col.5, Lines 58-65).

Kuzma does not teach a processor coupled with buffer to compare the pixel data of the frame of digital image data and subsequent converted frames to identify a subsequent converted frame whose pixel data differs from the pixel data of the frame of digital image data by a threshold amount.

Manning teaches that after a key frame is established the next frame is compared to the key frame to determine whether the next frame is another key frame, capture the new key frame (See Fig. 2a-2c, items 42,50, in description See col.2, Lines 27-32). It would have been obvious to one ordinary skill in the art at the time of invention to use Manning approach in the Kuzma apparatus to reduce video noise.

As to claim 30, Manning teaches the apparatus of reducing video noise, which includes phase noise, with the threshold selection (See Fig. 2, in description See Col.3, Lines 29-33, and Col. 2, Lines 28-33).

As to claim 31, Manning uses pixel values as numerical value for each color of each pixel and the difference between any of the plurality of pixel values is the difference between the numerical values for each color of each of the corresponding pixels of the converted subsequent frames to the pixel data of the captured frame (See Fig. 3-5, in description See Col. 2, Lines 26-33).

As to claim 32, Manning shows that the difference between any of the plurality of pixel values of the compared frames exceeds a pre-selected threshold value when the absolute value of

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the difference is greater than the pre-selected threshold value (See Fig. 2b, item 42, in description See Col. 2, Lines 25-32).

As to claim 33, Manning shows that the color for each pixel includes the color red, green, and blue (See Fig. 1, item 10, 12, 14, 16, in description See Col. 3, Lines 12-14).

As to claim 34, regarding discarding uncaptured frames, Kuzma teaches the subsequent frames with a difference value less than the predetermined value, the frame is recognized as being used in still image (See Col. 5, Lines 58-60) and does need to be put in the frame buffer, therefore is discarded.

2. Applicant's arguments with respect to claims 17-34 have been considered but are moot in view of the new ground(s) of rejection.

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leonid Shapiro whose telephone number is 703-305-5661. The examiner can normally be reached on 8 a.m. to 5 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached on 703-305-4938. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4750.

Is


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